

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

PATRICIA L. BAHNY,

Plaintiff,

vs.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant

Civil No. 3:07-cv-5516-KLS

ORDER FOR REMAND

Based on the stipulation of the parties, it is hereby ORDERED that the above-captioned case be reversed and remanded for a de novo hearing and further administrative proceedings, including but not limited to the following: a different administrative law judge will re-evaluate Plaintiff's fibromyalgia/chronic fatigue syndrome, which will be fully addressed in determining whether it is a severe impairment; re-evaluate the severity of Plaintiff's severe and non-severe impairments, alone and in combination; re-evaluate lay witness statements in the record and reasons provided if they are not accepted in assessing Plaintiff's credibility; reconsider Plaintiff's RFC; re-evaluate whether Plaintiff can perform her past relevant work, and; based on the

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3 expanded record, vocational expert evidence should be obtained, if warranted. The ALJ will keep  
4 in mind Plaintiff's date last insured for disability purposes is June 30, 2002.

5 This remand is pursuant to sentence four of 42 U.S.C. § 405(g). Upon proper  
6 presentation, this Court will consider Plaintiff's application for costs and attorney's fees under  
7 28 U.S.C. § 2412(d) and 42 U.S.C. § 406(b).

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9 Dated this 30<sup>th</sup> day of June, 2008.

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12 Karen L. Strombom  
13 United States Magistrate Judge  
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17 Presented by:

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